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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,395

01/22/2004

Tony Giordano

26788-009

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03/06/2008

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EXAMINER

EPPERSON, JON D

ART UNIT

PAPER NUMBER

1639

MAIL DATE

DELIVERY MODE

03/06/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10762395	1/22/04	GIORDANO ET AL.	26788-009

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**EXAMINER**

Jon D.. Epperson

ART UNIT	PAPER
1639	20080226

DATE MAILED:

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**Commissioner for Patents**

**Non-Responsive Amendment (Bonafide)**

The reply dated 12/11/2007 is not fully responsive to the prior Office action because of the following omission(s) or matter(s):

Applicants stated that claims 76, 77, 79, 80-82, 90, 91, 99, 100 and 141 read on the elected species (e.g., see 12/11/07 Response, page 14, second to last paragraph). However, this statement appears to be in error. For example, claim 79 depends from claim 78 and thus if claim 79 reads on the elected species then claim 78 must also do so. Applicants are requested to provide an accurate listing of claims that read on the elected species.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE(1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Jon D. Epperson, Ph. D., Art Unit 1639, whose telephone number is (571) 272-0808.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (571) 272-1600.

/Jon D. Epperson/  
Primary Examiner, AU 1639